

City of O'Fallon, Illinois,

V.

Respondent

Petition for authority to install a new concrete vehicular crossing and a pedestrian walkway and bicycle path crossing on West State Street, AAR/DOT #153 041C, Milepost 320.74 in O'Fallon, St. Clair County, Illinois.

T13-0048

NOW COMES Respondent, CSX TRANSPORTATION, INC. (CSXT), by its attorneys, Rock Fusco & Connelly, LLC and MacCabe & McGuire, P.C. and petitions for the entry of an Order correcting a misnomer, and for other relief and in support thereof, states as follows:

1. On May 9, 2013, the City of O’Fallon, Illinois (O’Fallon) filed the above-captioned verified Petition with the Illinois Commerce Commission (Commission) naming CSX Transportation, Inc. (CSXT) as Respondent. However, the caption of said Petition alleged that CSXT was a “Florida Corporation.”

2. At all times material herein, CSXT was and is a Virginia corporation, duly authorized to transact business in Illinois, all as more fully set forth in the Illinois Secretary of State File Detail Report, a true and correct copy of which is attached hereto as Exhibit A.

3. The aforesaid misnomer of CSXT should be corrected to reflect that CSXT is a Virginia corporation. The correction of the state of incorporation is only a misnomer and does not in any manner impact upon either the jurisdiction of the Commission or CSXT's participation in this matter.

WHEREFORE, CSX TRANSPORTATION, INC. prays as follows:

- A. The Illinois Commerce Commission enter an Supplemental Order, amending the caption to reflect that CSX Transportation, Inc. is a Virginia corporation;
- B. In light of the above and forgoing, that said Supplemental Order enter without the necessity of a hearing; and
- C. For such other and further relief as is deemed just.

Dated: February 3, 2016.

ROCK FUSCO & CONNELLY, LLC

By: /s/ Paul D. Streicher
One of the attorneys for
CSX TRANSPORTATION, INC.

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EXHIBIT A


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 JESSE WHITE
 SECRETARY OF STATE

CORPORATION FILE DETAIL REPORT

Entity Name	CSX TRANSPORTATION, INC.	File Number	52982294
Status	ACTIVE		
Entity Type	CORPORATION	Type of Corp	FOREIGN BCA
Qualification Date (Foreign)	02/02/1983	State	VIRGINIA
Agent Name	CORPORATE CREATIONS NETWORK IN	Agent Change Date	08/02/2013
Agent Street Address	350 S NORTHWEST HWY 300	President Name & Address	CW GOODEN 500 WATER ST JACKSONVILLE FL 32202
Agent City	PARK RIDGE	Secretary Name & Address	PR HITCHCOCK 500 WATER ST JACKSONVILLE FL 32202
Agent Zip	60068	Duration Date	PERPETUAL
Annual Report Filing Date	01/20/2016	For Year	2016
Old Corp Name	09/16/1986 - SEABOARD SYSTEM RAILROAD, INC.		

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